

FARMINGTON CITY PLANNING COMMISSION MEETING

Thursday, May 13, 2010

PLANNING COMMISSION STUDY/WORK SESSION

***Present:** Chairman Jim Young, Vice Chairman Craig Kartchner, Commission members Randy Hillier, and Michael Wagstaff, Alternate Commission member Michael Nilson, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Commission members Steve Andersen, Rick Draper, and Nelsen Michaelson, and Alternate Commission member Brett Anderson were excused.*

Chairman Young began the work session at 6:35 p.m.

(Agenda Item #1) - Approval of Minutes

Randy Hillier left the April 29, 2010 Planning Commission meeting early, and he requested that it be noted in the minutes.

(Agenda Item #3) – The Haws Companies – (Public Hearing) – Applicant is requesting approval for a Preliminary Plat as well as a recommendation for a Final Plat approval for the Park Lane Commons subdivision located at approximately 500 North 1000 West. This subdivision is associated with the Park Lane Commons Master Plan and is proposed to subdivide property for the accommodation of Park Lane Village, the dedication of the adjacent rights-of-way and the subdivision of a small lot for the development of a sewer pump station. (S-5-10)

Glenn Symes referred to a copy of the final plat and explained that two separate motions were necessary for this request. In response to a question of timing on this project, he said the completion date has been pushed back to August.

(Agenda Item #4) – Merrill Law – (Public Hearing) – Applicant is requesting a recommendation of approval for a schematic subdivision plan for a proposed flag lot subdivision on property located 661 West 1400 North. (S-6-10)

David Petersen explained that the applicant would like more time to study the options related to this request. He suggested that because of the unique terrain included in this property, a field trip to the site would be beneficial. There was a brief discussion concerning a possible trail access along the eastern portion of this property and other issues presented by staff.

(Agenda Item #5) – Merrill Law – (Public Hearing) – Applicant is requesting a recommendation of approval for a proposed rezone of approximately 1.68 acres of property located at 661 West 1400 North from A (Agricultural) to LR (Large Residential). (Z-2-10)

David Petersen said all of the surrounding property is zoned LR so this request is a natural direction for the subject property.

(Agenda Item #6) – Eric Malmberg – (Public Hearing) – Applicant is requesting approval of a conditional use permit for a driveway and associated curb cut for access to an RV pad located on the side of an existing 3-car garage on property located at 688 North 2050 West. (C-6-10)

Glenn Symes explained this proposal and commended **Mr. Malmberg** for contacting the City regarding a conditional use permit. He said many residents make changes to their property without applying for a conditional use permit. He pointed out that the City's code enforcement is based on complaints, and he advised the Commission to be aware of that when reviewing this request.

PLANNING COMMISSION REGULAR SESSION

***Present:** Chairman Jim Young, Vice Chairman Craig Kartchner, Commission members, Randy Hillier and Michael Wagstaff, Alternate Commission member and Michael Nilson, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Commission members Steve Andersen, Rick Draper, and Nelsen Michaelson, and Alternate Commission member Brett Anderson were excused.*

Chairman Young opened the meeting at 7:00 p.m. and welcomed those in attendance. **Michael Wagstaff** offered the invocation.

Approval of Minutes - (Agenda Item #1)

Motion

Randy Hillier made a motion to approve the minutes of the April 29, 2010 Planning Commission meeting with the minor amendment that was mentioned in the work session. **Michael Nilson** seconded the motion, and it was approved by **Chairman Young**. **Craig Kartchner** and **Michael Wagstaff** abstained because they did not attend the meeting.

City Council Report - (Agenda Item #2)

Glenn Symes reviewed the following items from the May 4, 2010 City Council meeting:

- The Council approved the schematic plan, minor subdivision plat and final plat for two lots in Bell Estates. However, there has been an ongoing matter regarding the flood plain map amendments, and the City Council included a condition requiring that the matter be resolved prior to the plat being signed by the **Mayor**.
- The final plat for Phases 3-A and 3-B of the Spring Creek Estates Subdivision was approved.
- Amendment #1 to the Spring Creek Estates Development Agreement was approved.

The Haws Companies – (Public Hearing) – Applicant is requesting approval for a Preliminary Plat as well as a recommendation for a Final Plat approval for the Park Lane Commons subdivision located at approximately 500 North 1000 West. This subdivision is associated with the Park Lane Commons Master Plan and is proposed to subdivide property for the accommodation

of Park Lane Village, the dedication of the adjacent rights-of-way and the subdivision of a small lot for the development of a sewer pump station. (S-5-10) (Agenda Item #3)

Background Information

Glenn Symes explained that the preliminary plat was reviewed at the previous Commission meeting; however, a small parcel which will be used for a sewer pump station was shown on the plat but was not specifically addressed. He said there were no other outstanding issues related to this request.

Public Hearing Opened

Chairman Young opened the public hearing at 7:10 p.m. There was no one to speak regarding this item, and the public hearing was closed at 7:10 p.m.

Motion

Michael Nilson made a motion that the Planning Commission approve a preliminary plat for the Park Lane Commons subdivision plat with the following conditions:

1. The applicant works with the City's Development Review Committee to address any outstanding issues related to the preliminary plat including, but not limited to, planning, engineering, storm water, sewer, culinary and secondary water and public works.
2. The applicant works with the City to address any comments or changes necessary for a final plat.
3. The applicant acquires final plat approval for the subdivision prior to recordation from the Planning Commission and City Council.

Randy Hillier seconded the motion, and it was unanimously approved.

Findings for Approval

1. The preliminary plat is consistent with the schematic subdivision plat approved by the Planning Commission and City Council.
2. The proposed subdivision is necessary for the issuance of building permits and finalization of the site plan for the Park Lane Village apartment project.
3. The proposed subdivision contains all of the amended rights-of-way and cross-section widths as discussed and approved with the Park Lane Commons master Plan.
4. The addition of the "no-build" zone on the plat designating areas where this or future developers may build meets the intent of the Regulating Plan approved with Chapter 18 of the Zoning Ordinance.

Motion

Michael Nilson made a motion that the Planning Commission recommend approval of a final plat for the Park Lane Commons subdivision plat with the following conditions:

1. The applicant works with the City's Development Review Committee to address any outstanding issues related to the preliminary plat including, but not limited to, planning, engineering, storm water, sewer, culinary and secondary water and public works.
2. The applicant work with the City to address any comments or changes necessary for a final plat.

Craig Kartchner seconded the motion, and it was unanimously approved.

Merrill Law – (Public Hearing) – Applicant is requesting a recommendation of approval for a schematic subdivision plan for a proposed flag lot subdivision on property located 661 West 1400 North. (S-6-10) (Agenda Item #4)

Background Information

David Petersen presented some of the history regarding this request and said the property is a remnant of the Bamberger rail line. He referred to a map of the property and explained there are several property owners who abut the subject property. The rear portion of the property is difficult to access except by foot. The City would like to pursue a trail connection to Shepard Canyon along the eastern portion of the property. There are several possibilities for the property which will require time and exploration, and staff is recommending that the Commission table this item to allow the property owner additional time.

Public Hearing

Chairman Young opened the public hearing at 7:20 p.m. There was no one to speak concerning this item, and the public hearing was closed.

Motion

Michael Wagstaff made a motion to table the proposed subdivision to allow staff and the applicant to gather any necessary information regarding the applicant. **Randy Hillier** seconded the motion, and it was unanimously approved.

Merrill Law – (Public Hearing) – Applicant is requesting a recommendation of approval for a proposed rezone of approximately 1.68 acres of property located at 661 West 1400 North from A (Agricultural) to LR (Large Residential). (Z-2-10) (Agenda Item #5)

Background Information

David Petersen said all of the property surrounding this property is zoned LR, and the general plan shows a land use designation of Low Density Residential. The change in zoning would allow smaller lot sizes for a future subdivision, and staff is recommending that the Commission approve the request.

Public Hearing

Chairman Young opened the public hearing at 7:25 p.m. There was no one to speak regarding this item, and the public hearing was closed.

Motion

Randy Hillier made a motion that the Planning Commission recommend approval of a zone change on 1.68 acres of property located at 661 West 1400 North from A (Agricultural) to LR (Large Residential). **Michael Wagstaff** seconded the motion, and it was unanimously approved.

Findings for Approval

1. The proposed zone change is consistent with the adopted general plan for the area.
2. The surrounding properties are zoned as LR, and a zone change to the subject property would not create a zone different from that which is surrounding the subject property.
3. The proposed zone change would allow lot sizes and uses that are more consistent with the surrounding area.

Eric Malmberg – (Public Hearing) – Applicant is requesting approval of a conditional use permit for a driveway and associated curb cut for access to an RV pad located on the side of an existing 3-car garage on property located at 688 North 2050 West. (C-6-10) (Agenda Item #6)

Background Information

Glenn Symes explained that the City's off-street parking standards ordinance states that the maximum width of a residential driveway is 30 feet. A property owner may request additional footage for a driveway if the proposed addition is for a properly designated parking space. **Mr. Symes** said this request is for an additional 11 feet, and several neighbors from the same area are not opposed to the request.

{ Alternate Commission member **Brett Anderson** arrived at the meeting at 7:35 p.m. }

Public Hearing

Chairman Young opened the public hearing at 7:30 p.m.

Eric Malmberg, 688 North 2050 West, Farmington, told the Commission that he applied for the conditional use permit because he wanted to comply with the City's legal requirements. He explained his proposal in detail and distributed additional handouts.

Chairman Young closed the public hearing at 7:55 p.m., and the Commission discussed various concerns such as pedestrian safety, aesthetics, green space, and maintenance. A possible compromise of half the requested amount of footage and adding a curve to concrete pad was also discussed. However, several of the Commissioners determined that the applicant has met the standards, and approval of this request would not set an undesirable precedent. **Mr. Symes** pointed out that the City does not want this resident to continue driving over the curb. He said the proposal is not out of character in this neighborhood.

Mr. Nilson expressed concern that this small area of City-owned property which was designated for grass, trees and landscaping, and acts as a green buffer between the street and the sidewalk, will now be concrete for the sole reason that it will be more convenient for this homeowner to back in his travel trailer

three times each year. **Mr. Nilson** feels this will create a negative precedent. The parking strips are one way that Farmington City beautifies residential streets, and they should not be so easily given up.

Motion

Randy Hillier made a motion that the Planning Commission approve a conditional use permit allowing the extension of an existing driveway and associated curb cut (on property located at 668 North 2050 West) an additional eleven (11) feet. **Michael Wagstaff** seconded the motion, and it was approved by Commissioners **Hillier**, **Kartchner**, and **Wagstaff**. **Michael Nilson** voted against the motion.

Findings for Approval

1. The proposed driveway extension is leading to a properly designated parking space.
2. The adjacent property fronts on to the same road as the subject property, and fencing would not be tall enough to create a significant blind spot for pedestrians and motorists.
3. There are not driveways directly adjacent to the proposed driveway extension, and therefore a significant refuge is available for pedestrians between the driveways along this street.
4. Park strips are present in this neighborhood, and the proposed extension would not significantly impact the current roadway side treatments.

ADJOURNMENT

Motion

Craig Kartchner made a motion to adjourn the meeting. **Michael Nilson** seconded the motion, and it was unanimously approved. The meeting was adjourned at 8:10 p.m.

Jim Young, Chairman
Farmington City Planning Commission